



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/040,929

12/31/2001

Venkatachari Dilip

CSHE.P004

3798

53186

7590

04/25/2008

COURTNEY STANIFORD & GREGORY LLP

P.O. BOX 9686

SAN JOSE, CA 95157

EXAMINER

POE, KEVIN T

ART UNIT

PAPER NUMBER

3693

MAIL DATE

DELIVERY MODE

04/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/040,929	Applicant(s) DILIP ET AL.	
	Examiner KEVIN POE	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to applicant's communication of February 26, 2008. Original claims 1-23 are pending and have been examined. The rejections are stated below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims **1-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jancula [US Patent No. 7,266,684 B2]** in view of **Gross [US Patent No. 6,721,716 B1]**.

4. Regarding **claim 1**, Jancula discloses a method comprising receiving login credentials from a user and, in response, logging a user into a financial management system; receiving a request from the user to access an account, wherein the request includes account identification information and account access information; obtaining user information from third parties using the received user information; authenticating the user's ability to access the account based on the obtained information, wherein

authenticating comprises verifying the user's identity by comparing user information received with user information obtained [Col. 5-6].

Jancula does not expressly disclose querying the user for user information; and if the user's identity is not authenticated, querying the user for additional user information. However Gross teaches the customer enters the particulars (i.e., account information) of his or her funding source to make electronic payments. The client application generates unique funding account information from the entered information. The client application then generates a payment certification string including a validation indicating portion from the unique funding account information, and sets the validation indicating portion to invalid (since it has not been confirmed). Once the payment certification string is created, the client application can use it to extract the unique funding account information as needed. The client application sends the extracted funding account information to the validation server over a secure electronic communication channel and the validation server confirms that the funding account information can be used to make an electronic payment from the source of funds. In a preferred embodiment, the validation server, by use of personal questions known only to the applicant, attempts to ensure that the funding account in fact belongs to the applicant [Col.4]. Gross teaches until the payment certification string is validated, the customer client software cannot use that funding source for payment. A warning may be given to the customer indicating this fact. In particular, if payments from the funding source are pending, the customer should be advised to cancel and then re-schedule those payments using the new payment certification string once it is validated [Col.4]. At the time of the invention one

would have been motivated to modify the disclosure of Jancula to include the teachings of Gross to obtain invention as specified in claim 1. The rationale to combine the teachings would be to assure a secure and private connection, and transfer of information when conducting a transaction online.

5. Regarding **claim 2**, Jancula discloses further comprising determining a risk associated with a user [Col.5].

6. Regarding **claim 3**, Jancula discloses wherein obtaining user information from third parties comprises harvesting data from a web page accessed using the received user information [Col.5].

7. Regarding **claim 4**, Jancula discloses wherein the third parties comprise a credit report service and a department of motor vehicles [Col.5].

8. Regarding **claim 5**, Jancula discloses accessing the account; and handling financial transactions initiated by the user and associated with the account [Col. 6 figure 1].

9. Regarding **claim 6**, Jancula discloses further comprising handling financial transactions initiated by the user and associated with the account if the user's ability to access the account is authenticated [Col.6 figure 1].

10. Regarding **claim 7**, Jancula discloses wherein authenticating the user's ability to access the account comprises verifying one or more of the user's social security number, name, address, phone number, date of birth, and driver's license number [Col. 5-6].

11. Regarding **claim 8**, Jancula discloses authenticating the user's ability to access the account comprises presenting the user with a challenge question to be answered by the user [Col. 5-6].

12. Regarding **claim 9**, Jancula discloses initiating a trial deposit into the account to further authenticate the user's ability to access the account [Col. 5-6].

13. Regarding **claim 10**, Jancula discloses wherein the account is a financial account [Col. 5-6].

14. Regarding **claim 11**, Jancula discloses requesting a cancelled check associated with the financial account to further authenticate the user's ability to access the financial account, and comparing information on the cancelled check with information obtained from third-party sources [Col.5].

15. Regarding **claim 12**, Jancula discloses one or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 1 [Col. 5-6].

16. Regarding **claim 13**, this claim recites similar language as to claim 1 and is rejected on the same grounds.

17. Regarding **claim 14**, this claim recites similar language as to claim 2 and is rejected on the same grounds.

18. Regarding **claim 15**, Jancula discloses verifying a user identity based on information provided by the user, wherein verifying comprises comparing information received from the user with information obtained from a third party [Col. 5-6].

19. Regarding **claim 16**, Jancula discloses verifying a user identity based on information from a third-party source comprising a credit report service [Col. 5].

20. Regarding **claim 17**, this claim recites similar language as to claim 5 and is rejected on the same grounds.

21. Regarding **claim 18**, this claim recites similar language as to claim 6 and is rejected on the same grounds.

22. Regarding **claim 19**, this claim recites similar language as to claim 7 and is rejected on the same grounds.

23. Regarding **claim 20**, this claim recites similar language as to claim 8 and is rejected on the same grounds.

24. Regarding **claim 21**, this claim recites similar language as to claim 9 and is rejected on the same grounds.

25. Regarding **claim 22**, this claim recites similar language as to claim 11 and is rejected on the same grounds.

26. Regarding **claim 23**, this claim recites similar language as to claim 12 and is rejected on the same grounds.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN POE whose telephone number is (571)272-9789. The examiner can normally be reached on Monday-Thursday 9:30am - 6:00pm.

Art Unit: 3693

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693

ktp